

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

HALLIBURTON ENERGY SERVICES,
INC., *et al.*,

Plaintiffs,

VS.

NL INDUSTRIES, *et al.*,

Defendants.

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CIVIL ACTION NO. H-05-4160

ORDER

TRE Holding Company, TRE Management Company, NL Industries, Inc., and Tremont LLC (collectively, the “Tremont Parties”), and Halliburton Energy Services, Inc. and DII Industries, LLC (collectively, “Halliburton”) have filed a joint motion to extend the Tremont Parties’ deadline for disclosing experts and producing expert reports. (Docket Entry No. 414). The Tremont Parties seek to move this deadline from June 1 to June 22. Georgia-Pacific LLC, f/k/a Georgia-Pacific Corporation (“Georgia-Pacific”) opposes the motion. (Docket Entry No. 416). Milwhite Inc. filed a document stating that it will not oppose any party’s request for a reasonable extension.¹ (Docket Entry No. 420).

Based on careful consideration, the joint motion to extend the Tremont Parties’ expert disclosure deadline is denied at this time. As Georgia-Pacific points out, because the claims between Halliburton and the Tremont Parties have been resolved, the Tremont Parties do not need to respond to Halliburton’s expert disclosures. Instead, the Tremont Parties likely will file expert designations


¹ It is unclear from Milwhite’s filing whether it agrees to the proposed extension for the Tremont Parties’ expert disclosures and reports.

and reports that support affirmative claims against Georgia-Pacific and Milwhite. Moving the Tremont Parties' expert disclosure deadline to June 22 would leave Georgia-Pacific and Milwhite with a very short time to respond. The current deadline for Georgia-Pacific and Milwhite to designate rebuttal experts and produce reports in response to the Tremont Parties' disclosures is July 1. The Tremont Parties have not proposed moving the July 1 response deadline and doing so may interfere with trial preparation.

Although the deadline for Georgia-Pacific and Milwhite to disclose experts and produce reports in response to Halliburton's expert disclosures has been extended to June 22—to avoid additional expense while the parties engage in ongoing settlement negotiations—there is no similar reason to extend the Tremont Parties' deadline for its expert disclosures against Georgia-Pacific and Milwhite. Because the Tremont Parties will be submitting expert disclosures in support of their claims against Georgia-Pacific and Milwhite, and Georgia-Pacific and Milwhite's June 22 deadline is for submitting expert disclosures and reports in response to Halliburton's expert disclosures and reports, there is no unfairness in maintaining the Tremont Parties' current deadline even though Georgia-Pacific and Milwhite's responsive expert disclosure deadline was moved to June 22.

The Joint Motion to Extend Certain Deadlines for the Tremont Parties to Disclose Experts and Produce Expert Reports, (Docket Entry No. 414), is denied.

SIGNED on May 19, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge